

Message Text

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44

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E.O. 11652: N/A

TAGS: EIND PINT UR

SUBJECT: CONVERSATION WITH REPRESENTATIVES OF ALL-UNION
COPYRIGHT AGENCY

USDOC FOR BEWT/OEWTD

REF: A) MOSCOW 3659 (4/3/73); B) MOSCOW 11526

1. EMBOFF MET NOV 22 WITH MRS. R. GORELIK, DEPUTY CHIEF, ADMINISTRATION FOR FOREIGN RELATIONS, AND MRS. M. VORONKOVA, DEPUTY CHIEF, CONTRACT-LEGAL ADMINISTRATION, ALL-UNION COPYRIGHT AGENCY. FOLLOWING POINTS EMERGED FROM DISCUSSION.

2. STAFF OF NEW AGENCY, WHICH IS ALREADY IN OPERATION, HAS BEEN TAKEN PRIMARILY FROM ADMINISTRATION FOR COPYRIGHT PROTECTION OF USSR WRITERS' UNION. ADMINISTRATION WILL CEASE TO EXIST AS ENTITY ON NOV 30, 1973. ADDITIONAL PERSONNEL HAVE BEEN DRAWN FROM FTO MEZHDUNARODNAYA KNIGA. UNTIL END OF YEAR AGENCY WILL REMAIN IN ITS PRESENT LOCATION (LAVRUSHINSKIY PEREULOK); IT WILL MOVE INTO BUILDING CURRENTLY BEING "RESTORED" ON BOL'SHAYA BRONNAYA ULITSA ON OR ABOUT JAN 1, 1974.

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3. AGENCY IS NOT FTO IN TRADITIONAL SENSE; HOWEVER,

IMPORTANT PART OF ITS ACTIVITIES WILL BE TO DEVELOP AND MAINTAIN CONTACTS WITH FOREIGN ORGANIZATIONS AND TO ASSIST, ON BEHALF OF SOVIET PUBLISHERS, IN CONCLUDING SALES AND PURCHASE CONTRACTS WHICH RELATE IN ANY WAY TO MATTERS INVOLVING COPYRIGHTS. IN THIS CONNECTION, AGENCY REPS STRESSED THAT ROLE OF MEZHDUNARODNAYA KNIGA IS NOW LIMITED TO TRADE IN PHYSICAL OBJECTS (BOOKS, FILMS, RECORDS, ETC.) RATHER THAN RIGHTS TO PUBLISH OR REPRODUCE WORKS. NEW AGENCY HAS NEITHER ITS OWN FINANCIAL RESOURCES NOR LEGAL RIGHT TO CONCLUDE CONTRACTS IN ITS OWN NAME. HOWEVER, FOREIGN ENTITIES SEEKING TO PURCHASE OR SELL RIGHTS TO WORKS MUST RPT MUST DEAL WITH AGENCY.

4. IMPORTANT AS ARE TIES WITH FOREIGN FIRMS, HOWEVER, PRIME MISSION OF AGENCY--APPARENTLY--IS TO RECOGNIZE AND CONTROL AUTHORS' COPYRIGHTS DOMESTICALLY IN ALL FIELDS OF THE ARTS. AGENCY WILL ALSO VERIFY AMOUNTS OF ROYALTIES TO BE PAID TO SOVIET AUTHORS BY THEIR DOMESTIC PUBLISHERS. AS COPYRIGHT LAWS VARY IN SOVIET UNION REPUBLICS, AGENCY WILL MAINTAIN REPRESENTATIVES IN EACH REPUBLIC CAPITAL.

5. EMBOFF RAISED QUESTION OF SOVIET AUTHORS BEING PUBLISHED ABROAD. MRS. GORELIK STATED THAT ONE OF THREE THINGS CAN HAPPEN. FIRST, SOVIET AUTHORIS MAY BE PUBLISHED BY FOREIGN FIRMS ON BASIS OF AGREEMENTS WORKED OUT (BY AGENCY) BETWEEN FOREIGN COMPANY AND AUTHOR'S DOMESTIC PUBLISHER. SECONDLY, A WORK MAY BE PUBLISHED ABROAD WITHOUT CONSENT OF SOVIET AUTHOR. IN THIS CASE, FOREIGN PUBLISHER WILL BE IN VIOLATION OF UNIVERSAL COPYRIGHT CONVENTION (UCC), AND SOVIET GOVERNMENT WILL INSTIGATE LEGAL PROCEEDINGS (BUDEM PRIVLEKAT' K OTVETSTVENNOSTI) AGAINST OFFENDING FIRM IN ITS HOME COUNTRY. THIRDLY, IF FOREIGN FIRM PUBLISHES WORK OF SOVIET AUTHOR WITH HIS CONSENT BUT WITHOUT AGREEMENT OF AGENCY--THOUGH WHICH EXCLUSIVELY, EMPHASIZED MRS. GORELIK, SOVIET AUTHORS MUST MAINTAIN CONTACTS WITH FOREIGN PUBLISHERS--SOVIET AUTHOR WILL BE IN VIOLATION OF SOVIET LAW AND WILL CONSEQUENTLY BE LIABLE FOR ANY RESLUTANT CONSEQUENCES.

6. COMMENT: CANDID COMMENTS OF AGENCY REPS CITED ABOVE POINT TO VERY WIDE-RANGING POWERS ON PART OF AGENCY TO LIMITED OFFICIAL USE

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GRANT, VERIFY, CONTROL, AND CERFIY FOR PAYMENT DOMESTIC COPYRIGHTS. REPS STRESSED IMPORTANCE OF AGENCY BY REFERRING TO ITS LEGAL STATUS AS A VEDOMSTVO, I.E., JUST BELOW MINISTERIAL LEVEL. DEFINITIVE STATEMENT ON TREATMENT OF SOVIET AUTHORS (OR THEIR FOREIGN PUBLISHERS) WHO DO NOT SUBJECT THEMSELVESTO AGENCY'S CONTROL IS HARSHTEST TREATMENT OF THIS ASPECT WE HAVE HEARD SINCE SOVIET ADHERENCE TO UCC, ALTHOUGH REMAKS MADE BY GOSPECHAT'CHIEF STUKALIN

AT DUBS/NALLE LUNCHEON LAST APRIL 2 (SUMMARIED IN REFTEL A)
CERTAINLY POINTED TO SOVIET THINKING IN THIS DIRECTION.
DUBS

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